

One Wisconsin Institute Inc. v. Gerald Nichol et al.

15CV324BBC

Transcript of the Testimony of:

David Aponte

April 28, 2016



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4/28/2016

David Aponte

Page 1

1 UNITED STATES DISTRICT COURT
2 FOR THE WESTERN DISTRICT OF WISCONSIN

3 ONE WISCONSIN INSTITUTE,
4 INC., CITIZEN ACTION OF
 WISCONSIN EDUCATION FUND,
5 INC., RENEE M. GAGNER, ANITA
 JOHNSON, CODY R. NELSON,
6 JENNIFER S. TASSE, SCOTT T.
 TRINDL, and MICHAEL R. WILDER,
7

8 Plaintiffs,

9 vs.

Case No. 15 CV 324

10 JUDGE GERALD C. NICHOL,
11 JUDGE ELSA LAMELAS,
12 JUDGE THOMAS BARLAND,
13 JUDGE HAROLD V. FROEHLICH,
14 JUDGE TIMOTHY VOCKE,
15 JUDGE JOHN FRANKE,
16 KEVIN J. KENNEDY, and
17 MICHAEL HAAS, all in
 their official capacities,

18 Defendants.

19

20

21 Deposition of DAVID APONTE

22 Thursday, April 28, 2016

23 9:08 a.m.

24 at

25 GRAMANN REPORTING, LTD.
 740 North Plankinton Avenue, Suite 400
 Milwaukee, Wisconsin

26

27 Reported by Julie A. Poenitsch, RPR/RDR/CRR

28

4/28/2016

David Aponte

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1 Deposition of DAVID APONTE, a witness in
2 the above-entitled action, was taken at the instance of
3 the Defendants, under and pursuant to the Federal Rules
4 of Civil Procedure, and pursuant to Notice, before me,
5 JULIE A. POENITSCH, RPR/RDR, Certified Realtime
6 Reporter, and Notary Public in and for the State of
7 Wisconsin, at GRAMANN REPORTING, LTD., 740 North
8 Plankinton Avenue, Suite 400, Milwaukee, Wisconsin, on
9 the 28th day of April, 2016, commencing at 9:08 a.m. and
10 concluding at 12:37 p.m.

11

12

A P P E A R A N C E S

14 PERKINS COIE LLP, by
15 Mr. Charles G. Curtis, Jr.
One East Main Street, Suite 201
Madison, Wisconsin 53703-5118
16 appeared on behalf of the Plaintiffs.

ALSO PRESENT:
21 Ms. Dawn Maldonado, Interpreter
Bylyngo Interpreting & Translation.
22 Ms. Lupe Ugent, private interpreter.
Mr. Jose Robles, brother-in-law.

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David Aponte

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1

I N D E X

2

EXAMINATION

PAGE

3

By Mr. Johnson-Karp

4

4

By Mr. Curtis

71

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E X H I B I T S

8

NUMBER

PAGE IDENTIFIED

9

Exh. 1 9/16/14 application for Wisconsin ID 26

10

Exh. 2 Packet of documentation received from 34
plaintiffs

11

Exh. 3 6/10/15 letter to David Aponte from 49
the Wisconsin Department of
Transportation

12

(Original exhibits were attached to original transcript;
copies to transcript copies.)

13

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R E Q U E S T S

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ITEM REQUESTED

PAGE

20

1. Any other paperwork indicating dates of 27
applications

21

22

23

24

25

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David Aponte

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	Page 4	
1	TRANSCRIPT OF PROCEEDINGS	
2	DAWN MALDONADO, interpreter, having been	
3	first duly sworn to accurately interpret from	
4	English to Spanish and Spanish to English.	
5	DAVID APONTE, called as a witness herein	
6	by the Defendants, after having been first duly	
7	sworn, was examined and testified as follows:	
8	EXAMINATION	
9	BY MR. JOHNSON-KARP:	
10	Q Good morning, Mr. Aponte.	
11	A Okay.	
12	Q My name is Gabe Johnson-Karp. I'm an assistant	
13	attorney general with the State of Wisconsin, and I	
14	represent the defendants in this matter.	
15	Mr. Aponte, have you ever been deposed	
16	before?	
17	A No.	
18	Q There are just a couple ground rules to remember	
19	going through the deposition, and I'll go over	
20	those right now. And if you could just tell me	
21	that you understand or that you agree, that would	
22	be helpful.	
23	A Yes.	
24	Q The purpose of this deposition is for the court	
25	reporter to take down my questions and to take down	
	Page 5	
1	your answers. Do you understand that?	
2	A Yes.	
3	Q And the court reporter needs your answers and my	
4	questions to be audible. Do you understand that?	
5	A What does that mean, "audible"?	
6	Q You can't, for example, nod your head or shake your	
7	head. You need to give a verbal answer. You need	
8	to say, for example, "yes" or "no."	
9	A Okay.	
10	Q And it's important that we don't speak over one	
11	another. I don't know that that will be as much of	
12	a problem here, but I'll do my best to wait, and	
13	I'd ask if you'll do the same. Is that okay?	
14	A Yeah.	
15	Q And I'll ask if I ask a question -- and you've	
16	already done this -- if you don't understand,	
17	please ask for me to explain it. If you answer the	
18	question, I will understand you to have understood	
19	the question. Is that okay?	
20	A Okay.	
21	Q Mr. Aponte, is there any reason that you cannot	
22	give truthful and accurate testimony today?	
23	A Yes.	
24	Q There is a reason that you can't give truthful	
25	testimony today?	
	Page 6	
1	A No, no, no, I'm sorry. I forgot. I forgot. I	
2	came here to tell the truth.	
3	Q Good. Thank you.	
4	A I'm sorry. I didn't understand. I forgot that	
5	word.	
6	Q I'm just going to start with some background on	
7	your early life. Could you tell me when and where	
8	you were born?	
9	A Well, my mother told me that I was born in	
10	West Chester, Pennsylvania.	
11	Q And when was that?	
12	A Well, I was born 1/1/58, and when I was one year's	
13	old, I went to Puerto Rico.	
14	Q And at some point, did you find out that you had a	
15	different birthdate than January 1st?	
16	A Well, I went to Tampa, Florida, I went over there,	
17	and when I went to social security, they changed my	
18	birth year. I don't know why.	
19	Q Did you ever inquire as to why social security knew	
20	a different birthdate than what you had known your	
21	entire life?	
22	A I don't know why, because when I went over there, I	
23	told them that that wasn't my date, that that was	
24	my sister's date when she was my guardian. And	
25	then they told me that I had to use that date.	
	Page 7	
1	Q Who is your sister whose date that was?	
2	A Juanita Aponte. She is my sister.	
3	Q And her birthdate is June 17th?	
4	A Yes.	
5	Q And what year was she born?	
6	A I don't know. I just know that, that's all I know.	
7	Q And she's an older sister or a younger sister?	
8	A I couldn't tell you. I couldn't tell you if she's	
9	older or younger, because I have two other	
10	siblings.	
11	Q Is it fair to say, though, if she was your	
12	guardian, that she was an older sister?	
13	A I think she's younger than me, I think, because I'm	
14	the second one. But my mom tells me that she's	
15	older and that I'm younger, so I don't know.	
16	Q And who are the other siblings?	
17	A My brother, Carlos Aponte; and then the other one	
18	that I met, Rosalina; and the other brother I met	
19	here, Edward.	
20	Q For a total of four siblings?	
21	A Five.	
22	Q With you.	
23	A Yes.	
24	Q And when was it that you found -- do you remember	
25	the year that you found out from social security	
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1	your answers. Do you understand that?	
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4	questions to be audible. Do you understand that?	
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7	head. You need to give a verbal answer. You need	
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12	a problem here, but I'll do my best to wait, and	
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10	West Chester, Pennsylvania.	
11	Q And when was that?	
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13	old, I went to Puerto Rico.	
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7	Q And she's an older sister or a younger sister?	
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19	here, Edward.	
20	Q For a total of four siblings?	
21	A Five.	
22	Q With you.	
23	A Yes.	
24	Q And when was it that you found -- do you remember	
25	the year that you found out from social security	

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	Page 8	Page 10
1 that June 17th was the birthdate that they had for 2 you?		1 A Yes. Well, I speak a little bit with my mom in 2 English, but I speak more with my father in 3 Spanish.
3 A Well, it's when I went to Tampa, Florida, because I 4 always have used 1/1/58, and it's only when I went 5 over there that they told me that I had to use a 6 different date. And then when I came back over 7 here and I went to social security, they said, you 8 have to use that date, and I said, I don't 9 understand why, because my entire life I've used 10 1/1/58.		4 Q Okay. Thank you. 5 Other than the January 1st and the 6 June 17th, 1958, birthdates, are you aware of any 7 other birthdates that would be associated with your 8 name?
11 Q Do you remember roughly when you went to Tampa, 12 what year? Was it in, for example, the past five 13 years?		9 A No. 10 Q Going back to the point at which the Social 11 Security Administration informed you about 12 June 17th as your birthdate, what brought you to 13 the Social Security Administration at that point?
14 A Around 2004. '4 or '5, more or less. And I was 15 living in Tampa for ten years with my mother.		14 A Well, it's because I was receiving help for 15 disability here, so when I moved to Tampa, I had to 16 change my address, and then that's when I went in 17 and they told me that I had to use that date of 18 birth, June 17th, and I don't know why.
16 Q Both before and after that?		19 Q That help that you were receiving was through 20 social security. Was that SSI or something like 21 that?
17 A What do you mean "before"?		22 A SSI.
18 Q When you first learned of the June 17th birthdate, 19 did you continue to live in Tampa after that?		23 Q And you had been receiving that before you moved to 24 Tampa; is that correct?
20 A Yes.		25 A Correct.
21 Q And for -- when did you start living in Tampa?		
22 A When I met my mother.		
23 Q Do you remember what year that was?		
24 A When I met my mom?		
25 Q When you moved to Tampa with your mom.		
	Page 9	Page 11
1 A Around 2004.		1 Q But up until that point, social security had never 2 raised the issue of a June 17th birthdate; is that 3 correct?
2 Q And you lived there for ten years, so you moved 3 here around 2014?		4 A Correctly.
4 A Yes, correct.		5 Q And do I understand correctly, from what you had 6 communicated to the DMV about getting an ID in 7 Wisconsin, that you hired an attorney to figure out 8 where you were born and your birthdate?
5 Q Okay. Thank you. And what is your mother's name?		9 A Yes, over there in Tampa, Florida.
6 A Doris London.		10 Q And what caused you to want to hire an attorney?
7 Q And your father's name?		11 A It's because every time -- there was no birth 12 certificate for me, so every time I went somewhere, 13 it was a problem because I didn't have an 14 identification.
8 A Carlos Aponte.		15 Q And did you hire the attorney before social 16 security informed you of the June 17 birthdate?
9 Q Do you know when and where both your mother and 10 father were born?		17 A Yes.
11 A Well, my mother was born in Pennsylvania, and my 12 father was born in Jayuya.		18 Q And what did the attorney discover, if anything, 19 about your birthdate and location where you were 20 born?
13 THE INTERPRETER: Would you like the 14 spelling from the interpreter?		21 A Well, she was investigating, but then she became 22 sick with cancer, and then a week later she died, 23 and I never knew anything else.
15 THE REPORTER: Please.		24 Q So you didn't get any information from the 25 attorney?
16 THE INTERPRETER: J-A-Y-U-Y-A.		
17 THE REPORTER: Thank you.		
18 BY MR. JOHNSON-KARP:		
19 Q And are your parents still alive?		
20 A Yes.		
21 Q Both?		
22 A Yes.		
23 Q Are you in contact with both or either of them?		
24 A Yes. I talk to them over the phone.		
25 Q Frequently?		

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	Page 12	Page 13	Page 14
1	A No.		you moved to Tampa around 2004?
2	Q My understanding about the hospital in West Chester 3 is that that burned down; is that correct?		2 A Yes, when I met my mother.
4	A Correct. Well, because, you know, I went to fill 5 out an application over there where you get the 6 licenses, and they told me that the hospital burned 7 down and they couldn't do anything for me.		3 Q So just to clarify, you met your mother again in 4 2004, and that's when you moved to Tampa?
8	Q Is that the DMV told you that the hospital burned 9 down?		5 A Yes, because she came here, and I met her, and then 6 I left with her.
10	A No. I was called from Madison. But I don't recall 11 the phone number because I've switched phones so 12 many times.		7 Q How did it come about that you met your mother in 8 2004?
13	Q And that was after you applied for an ID -- for the 14 ID that's at issue in this case; is that correct?		9 A I really don't know about that.
15	A Yes, yes.		10 Q Was your mother looking for you?
16	Q Are you aware of any other people in your family 17 named "David Aponte"?		11 A Let me see. Let me remember. Well, I have some 12 siblings that I grew up with, stepsiblings, and he 13 found a sister of mine and told them where we 14 lived. That's what I remember now.
18	A No.		15 Q And did your sister then tell your mother where you 16 were?
19	Q Have you ever met another David Aponte?		17 A Yes, the three children, but my stepsister.
20	A Well, I think in Tampa, Florida, there was a guy 21 named "David Aponte," but everybody's name is David 22 Aponte.		18 Q Your mother came to meet all three children?
23	Q But in Milwaukee, no other "David Aponte"?		19 A Yes.
24	A Only me.		20 Q You and two siblings?
25	Q Okay. When you were growing up, did you live in		21 A Yes, myself, my sister, and my other brother.
	Puerto Rico throughout your childhood?		22 Q And which sister and brother are those?
1	A Yes, when I was one year old, with my grandmother.		23 A Carlos Aponte and Juanita Aponte. I've always
3	Q When did you move from Puerto Rico?		24 lived with them, always. We never separated.
4	A When I was one year old.		25 Q So when you moved to Puerto Rico, Carlos and
5	Q When did you move away from Puerto Rico?		Juanita went with you?
6	A I'm sorry, I don't understand that.		2 A Yes, all three of us lived in Puerto Rico.
7	Q How long did you live in Puerto Rico?		3 Q And when you went to Allentown, did they also --
8	A Oh, boy, more than 23 years.		4 did you all three go together?
9	Q So until you were about 24 years old?		5 A No. She went first.
10	A Yes, more or less, but since I've never had a 11 birthday celebrated, I don't even remember.		6 Q "She," being Juanita?
12	Q Sometime after you were 20 years old, but before 13 you were 30?		7 A Yes. And then it was my brother and then myself.
14	A Yes, I think so, yes, yes.		8 Q And you all lived together in Allentown for some
15	Q And where did you move when you first moved away 16 from Puerto Rico?		9 period?
17	A Pennsylvania. Allentown, Pennsylvania, with my 18 sister.		10 A Yes.
19	Q And how long did you live there?		11 Q And did you all, the three of you, move to
20	A Around three or four years, and then we came here 21 to Wisconsin.		12 Wisconsin together?
22	Q So that was when you were in your late 20s or early 23 30s is when you first came to Wisconsin?		13 A Yes. That was for about two or three months. And
24	A Yes.		14 then my brother and I got an apartment separate,
25	Q And did you live in Wisconsin continuously until		15 because she was married with kids.

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	Page 16	Page 18
1	Q Where did you live before that?	1 remember much from Puerto Rico. I don't recall too
2	A With my sister.	2 much from Puerto Rico.
3	Q On -- was that Ninth?	3 Q Have you had any psychiatric treatment since you
4	A On Ninth, with my brother-in-law.	4 moved away from Puerto Rico?
5	Q Was that on the Ninth Place address?	5 A Here, yes.
6	A Yes.	6 Q You've received psychiatric treatment in Wisconsin?
7	Q And how long did you live there?	7 A Yes, with a psychiatrist, Bhatia.
8	A I lived there for about a year and something, like	8 Q "Bhatia" is the doctor's name?
9	a year and two months.	9 A Yes.
10	Q And was there anywhere else you lived since you've	10 Q And when was that?
11	moved back from Tampa?	11 A Oh, I think that was around '91, I believe, because
12	A No. Since I came from Tampa, I have always --	12 I still have their records at home.
13	well, I lived with my sister, and then I got my own	13 Q In 1991, did you say?
14	apartment.	14 A Yes.
15	Q So correct me if I'm wrong, if you would, please.	15 Q And was that related to the head injuries when you
16	You lived in Tampa for ten years, ending around	16 were young, or was it related to something else?
17	2014; then you lived at the Ninth Place address;	17 A I couldn't tell you how that was.
18	and then you got your own place at Seventh and	18 Q You don't know why you were --
19	Greenfield.	19 A No, I don't recall that too well.
20	A Correct.	20 Q You don't recall the treatment or you don't recall
21	Q Did you go to school when you were growing up in	21 the reason for the treatment?
22	Puerto Rico?	22 A I don't recall too well if it was for treatment. I
23	A Yes, up until fifth grade.	23 just don't remember. I don't remember much
24	Q After fifth grade, no school?	24 anymore.
25	A No.	25 Q Have you had any psychiatric treatment since 1991?
	Page 17	Page 19
1	Q Did you work?	1 A No, no more. No, because the doctor left to go
2	A No. I was in psychiatric treatment.	2 somewhere else, and I couldn't find anything else.
3	Q From age fifth grade until when?	3 Q Do you believe you still need psychiatric
4	A I don't know. It's been so many years. Let's see,	4 treatment?
5	I was in psychiatric treatment, I don't know, until	5 MR. CURTIS: Object to that question. I
6	'80-something. No, I think until '79, 1979.	6 think you're getting into pretty personal details
7	Q And that was an institution of psychiatric	7 as far as someone -- about him seeing -- receiving
8	treatment?	8 psychiatric treatment. I'm not sure I see the
9	A Okay. No, it was that I would go for my	9 relevance to my client getting a voter ID with
10	appointments, and they would take me to my	10 asking him questions about psychiatric treatment.
11	appointments with the psychiatrist, and I would get	11 THE INTERPRETER: You can go ahead. I'll
12	my treatment, and then I would go back home, and I	12 just keep interpreting.
13	would stay with my aunt, because I was staying by	13 MR. JOHNSON-KARP: And I think I'll try
14	my aunt.	14 to confine any questioning to memory, because I
15	Q Why were you in psychiatric treatment?	15 think that was the representation that the
16	A Well, because I had so many head injuries, and then	16 treatment was brought about.
17	I had a car accident, and then I fell down a steep	17 Q Since 1991, have you noticed or received treatment
18	hill, and that's where all the illnesses came from.	18 for any memory problems?
19	I had no control.	19 A Let me ask the attorney.
20	Q So in around 1979, I think you said, you stopped	20 MR. ROBLES: May I say something?
21	psychiatric treatment; is that correct?	21 Because I know everything that's going through
22	A Yes.	22 medication right now.
23	Q Was that because any negative effects on your brain	23 MR. JOHNSON-KARP: He's on medication
24	or on your head had been cured or resolved?	24 right now?
25	A Well, I really don't remember. I really don't	25 MR. ROBLES: Yes, he's in treatment right

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	Page 20	Page 22
1	now. He's getting treatment right now.	1 Q And you are comfortable proceeding?
2	MR. JOHNSON-KARP: Right now in this	2 A Yes, yes.
3	deposition?	3 Q And you feel that you're able to tell the truth to
4	MR. ROBLES: In the state -- in the state	4 my -- or to answer my questions?
5	of Wisconsin, in this moment, he got it, seek out	5 A Yes.
6	the treatment. The problem that he got, he got --	6 Q And if there is a question the answer to which you
7	his mental state is like a little child. So you	7 don't remember, will you be sure to say that,
8	ask him a question back into the time, he not going	8 please?
9	to remember a lot a lot of stuff.	9 A Okay.
10	So he got a lot of problem with memories	10 MR. CURTIS: It's okay to say you don't
11	and stuff in the past, and that's something	11 remember. You don't want to guess. Just tell the
12	confusing. That's why he's got to be in -- you	12 truth.
13	know, look it out like an inconfloor [phonetic]	13 THE WITNESS: Okay.
14	with the question, because he don't know what he	14 BY MR. JOHNSON-KARP:
15	want to say, because he not remember nothing.	15 Q Now, I think we were talking about where you lived.
16	See, I can help him, yes, I can tell you	16 That's Seventh and Greenfield. That's where you
17	a lot of what is going around his family, because,	17 live now, correct?
18	you know, his studies is very unique because the	18 A Correct.
19	mother and the father dispelled [phonetic] the life	19 Q Do you have any plans to move from there?
20	when he got one year old.	20 A Yes.
21	THE REPORTER: I'm sorry, they did what?	21 Q When are you planning to move?
22	The mother and the father, they --	22 A When I have my ID.
23	MR. CURTIS: I don't know if we're on the	23 Q You'll move from Seventh and Greenfield when you
24	record or off the record. Maybe we should -- let's	24 have an ID?
25	go off the record for a second.	25 A Yes.
	Page 21	Page 23
1	(There was discussion off the record.)	1 Q Why do you need an ID to move from there?
2	MR. JOHNSON-KARP: On the record.	2 A Well, because in order for me to move, I have to
3	Q Mr. Aponte, I just want to confirm on the record	3 have an ID, because I get housing, but I can't get
4	that up until this point, you've stated that you	4 an apartment without an ID, and the one I got now,
5	understood the questions I've been asking mostly?	5 they gave it to me because I took all the papers in
6	A Yes.	6 indicating that I was fighting this case, and for
7	Q And those that you didn't understand, you asked for	7 now, they gave it to me.
8	clarification?	8 Q And did they tell you that they won't let you move
9	A Correct.	9 another time without an ID?
10	Q And are you comfortable continuing right now? Do	10 MR. CURTIS: I object to the question
11	you feel that you're able to continue understanding	11 because nobody said they wouldn't let him move. I
12	my questions?	12 believe he said that he wasn't able to rent or
13	A Not much.	13 obtain a place, but it wasn't anybody not letting
14	MR. CURTIS: I think what he's getting	14 him move. Misstates the testimony, in other words.
15	at, maybe it's, you know, the big words, things	15 BY MR. JOHNSON-KARP:
16	like that.	16 Q We can walk back. If you could just tell me, if
17	MR. ROBLES: Take a break so I can talk	17 you know, who told you that you needed an ID for
18	with him.	18 housing?
19	MR. CURTIS: Is it okay?	19 A It's in the contract.
20	MR. JOHNSON-KARP: That's fine.	20 Q In the contract with whom?
21	(There was discussion off the record.)	21 A From housing.
22	MR. JOHNSON-KARP: On the record.	22 Q And is that public housing?
23	Q We've just taken a little break to make sure you	23 A I don't know. Can I ask my brother-in-law?
24	feel comfortable proceeding; is that correct?	24 MR. CURTIS: I'm not sure we ought to be,
25	A Yes, yes.	25 you know, going on -- if he --

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1 BY MR. JOHNSON-KARP:	1 BY MR. JOHNSON-KARP:	
2 Q If you don't know --	2 Q Handing you a document that's been marked	
3 MR. CURTIS: Yeah. Go ahead. If you	3 Exhibit 1. Do you recognize that document?	
4 don't know, just say you don't know. It's okay.	4 A What is this? Oh, is this to get the birth	
5 THE WITNESS: Okay. That's fine.	5 certificate?	
6 BY MR. JOHNSON-KARP:	6 MR. CURTIS: No, no, no. This was --	
7 Q But just to be clear, you were told that you need	7 Do you mind, counsel, if I --	
8 an ID to get housing; is that correct?	8 MR. JOHNSON-KARP: No, not at all.	
9 A Correctly.	9 MR. CURTIS: This was the application to	
10 Q And did the people in housing tell you that in	10 get your Wisconsin ID. So when you went to DMV,	
11 order to move, you need to get an ID?	11 this was the application that you filled out. This	
12 A Yes.	12 is you, yes?	
13 Q And when was that?	13 THE WITNESS: Okay. Now I'm remembering.	
14 A Well, it's been going on two years.	14 MR. CURTIS: And then later, this is	
15 Q Did they tell you you needed an ID to move before	15 another form you filled out, and this was also for	
16 you applied for an ID?	16 your Wisconsin ID. And so it has your information	
17 THE INTERPRETER: Could you repeat that	17 there. That's somebody else.	
18 for the interpreter?	18 I'm just showing him this wasn't him.	
19 BY MR. JOHNSON-KARP:	19 But up here.	
20 Q Did whoever told you you need an ID to move tell	20 THE WITNESS: Okay. This is where my	
21 you that before you applied for an ID?	21 brother-in-law took me.	
22 A No. I went to pick up the application with a	22 MR. CURTIS: Okay.	
23 friend, and that's when they told me that I needed	23 THE WITNESS: Yes.	
24 the ID.	24 BY MR. JOHNSON-KARP:	
25 Q Which application did you pick up?	25 Q And do you remember filling this out?	
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1 A I don't remember which. I don't recall. I have	1 A Yes. I filled out so many, but yeah.	
2 the documents at home, but I don't recall the	2 Q So does the date of September 2014 sound about	
3 place.	3 right for when you first applied for a Wisconsin	
4 Q Was this an app --	4 ID?	
5 MR. CURTIS: I think he's talking about	5 A No. I requested it plenty, but they would never	
6 the housing.	6 give it to me.	
7 THE WITNESS: Yes.	7 Q Did you fill out any other paperwork indicating	
8 BY MR. JOHNSON-KARP:	8 when you applied for an ID?	
9 Q That was -- you picked up the housing application?	9 A I don't recall, no.	
10 A Yes, with my friend.	10 MR. JOHNSON-KARP: Counsel, I would just	
11 Q And then they told you you need an ID?	11 ask to the extent that there is any other paperwork	
12 A Yes. But everywhere I go, they ask for an ID.	12 indicating dates of applications, if we could see	
13 Q And after you picked up the housing application and	13 that, please.	
14 they told you you need an ID, is that when you	14 MR. CURTIS: For the ID?	
15 started applying for an ID?	15 MR. JOHNSON-KARP: Right. My	
16 A No. I've been seeking my birth certificate for	16 understanding is this was when the ID PP	
17 years. I've been battling this for ten years.	17 application started. If there were any other forms	
18 Q Now, distinguishing between your birth certificate	18 that he would have leading up to that point.	
19 and a Wisconsin ID, do you remember how long you've	19 MR. CURTIS: Okay. Sure. I will	
20 been looking for a Wisconsin ID, not a birth	20 double-check with him. But, counsel -- and I	
21 certificate?	21 assume this is on the record -- I'm not aware of	
22 A Oh, more than two years.	22 any. All that I'm aware of is the MV3004 and then	
23 Q Two years.	23 the MV3012, which I believe he just filled out	
24 (Exhibit 1 marked for identification.)	24 once, but we'll certainly check.	
25	25 MR. JOHNSON-KARP: Okay. Thank you.	

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1	Q Now, just to clarify, do you remember filling out 2 this form in around September of 2014?	1 A I do remember that I voted for Bush, but that's it. 2 Q But you don't remember which year that was? 3 A No, I don't recall.
4	A Yes, when I went with my brother-in-law.	4 Q When John McCain and Barack Obama were running for 5 president, do you remember voting?
5	Q Where did you go for that?	6 A Okay. When Obama started, I didn't vote.
6	A I don't know. Somewhere over there, like vehicle 7 something. Ask him. He knows the name.	7 Q So that would have been 2008, you did not vote in 8 2008; is that correct?
8	Q Was it the Department of Motor Vehicles?	9 A 2008? I don't recall that. I don't recall any of 10 that. I just remember that I voted four years ago, 11 and then this year I didn't vote. And my 12 brother-in-law is the one who took me to go vote. 13 I voted, but I didn't have an ID. He knows; I 14 don't know anything.
9	A Yes.	15 Q And the last time you voted, was it for president, 16 or was it for some other office?
10	Q And was that here in Milwaukee, not in Madison?	17 A I wasn't allowed to vote.
11	A (Witness nods head.)	18 Q When you were allowed to vote.
12	Q Okay.	19 A For president, I believe.
13	THE REPORTER: Out loud, please.	20 Q And was that when Obama and Romney were running?
14	THE WITNESS: Yes.	21 A Yes, I believe so.
15	BY MR. JOHNSON-KARP:	22 Q And have you voted since then?
16	Q Have you voted in Wisconsin?	23 A No.
17	A Yes.	24 Q And that was in Wisconsin that you voted in the 25 election for Romney and Obama?
1	Q How many times, if you recall, have you voted in Wisconsin?	
2	A I don't recall, but many. So many times I voted.	1 A Yes, yes.
3	Q Would you say you vote in every presidential election?	2 MR. JOHNSON-KARP: Should we take a 3 break?
4	A Yes. I voted for Ronald Reagan, and that's the only one I remember, that's it.	4 MR. CURTIS: No. I mean, are you okay?
5	Q And I'm not asking you who you voted for, but just for time frame.	5 Do you want to take a break?
6	When Bill Clinton ran for president, did you vote?	6 THE WITNESS: Yes, a break. And I have 7 to drink coffee because I have a headache.
7	A I don't remember.	8 MR. CURTIS: Oh, okay.
8	Q Do you remember if you voted when Al Gore and George W. Bush were running for president?	9 MR. JOHNSON-KARP: I can understand that.
9	A No, I don't recall. I don't even recall those names.	10 (A recess was taken from 10:11 a.m. to 11 10:22 a.m.)
10	Q And do you recall if you voted when George Bush and John Kerry were running for president?	12 (Exhibits 2 and 3 were marked for 13 identification.)
11	A I don't recall the other -- I don't remember the other one.	14 BY MR. JOHNSON-KARP:
12	Q And you don't recall if you voted, or you don't recall those names?	15 Q Mr. Aponte, I understand you said when we were off the record that you're in a great deal of pain; is that correct?
13	A I do recall I voted for one, but I don't recall the other one.	16 A Yes, because I've had surgery on my back and on my neck, and I have a part here, and it really hurts, and I have two screws here holding that piece in place.
14	Q Voted for one of those two people when it was Kerry and Bush?	17 Q Would you -- do you feel that you're unable to 18 continue today?
15		19 A No, let's continue, let's continue.
16		20 Q You feel that you're able to, even in light of the

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1	pain, provide truthful answers today?	1 A I don't even know what that is. I don't recall
2	A Yes, yes, yes, yes, yes.	2 that, and I don't understand what you're saying.
3	Q Okay. Thank you.	3 Q Have you ever mailed in a vote?
4	And if the pain gets so bad, please let	4 A No. I've received letters, but I couldn't do
5	us know, and we can take breaks; or if you feel	5 anything because they were asking for an ID.
6	that you're unable to continue, please let us know.	6 Q Letters from whom?
7	A No, let's continue, let's continue, let's continue.	7 A The ones to vote, where they tell you where to
8	Q We were talking about the last time you voted, and	8 vote, but I haven't gone because I don't have an
9	you said you do remember voting when Obama and	9 ID, and they're not going to let me vote.
10	Romney were running for president; is that correct?	10 Q I'm handing you what's been marked Exhibit 2. And
11	A Yes.	11 you can take your time looking this stuff over.
12	Q And at the time, were you living in Florida when	12 A It's in English.
13	Obama and Romney were running for president? That	13 Q Do you recognize -- I'm looking at the second page.
14	would have been 2012.	14 Is this one of the letters that you're talking
15	A In 2012, yes, I was in Florida, yes. But I don't	15 about?
16	remember -- I don't know. I don't know. I don't	16 A Let me see. As far as I recall, I think so.
17	remember.	17 Q But you weren't able to take any action because you
18	I know that I came in 2014, and I know I	18 didn't have an ID; is that correct?
19	voted, but I don't know if it was for Obama or -- I	19 A Yes. Oh, this is the application that they sent me
20	don't remember. Because in 2012, I was in Tampa,	20 so I could go vote.
21	Florida.	21 Q And that was very recently; is that correct? I'm
22	Q In 2014, do you remember voting in the election for	22 looking at the second page.
23	Wisconsin governor, which would have been Scott	23 A Yes, I did get this, but I couldn't do anything
24	Walker and Mary Burke? And I'm not asking who you	24 because I didn't have an identification. Because
25	voted for.	25 every letter that I get that's in English, I
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1	A Yes, correct.	1 usually take it to my sister or to my
2	Q You did vote in 2014?	2 brother-in-law so they can help me.
3	A Yes.	3 Q And did you show this letter to your sister or
4	Q For Wisconsin governor?	4 brother-in-law?
5	A Correctly, yes. I wasn't on the list, and they	5 A Well, it's so many letters that I get that I really
6	allowed me to vote. And now that I am on the list,	6 don't remember if I gave it to them or if I didn't,
7	they didn't let me vote.	7 and I have them all put away in a drawer, but I do
8	Q Did you have to register to vote in 2014?	8 remember getting this, though. Wait. And this
9	A No, because I went with my brother-in-law for the	9 one, what's this one for? Oh, this is from
10	election, and then I went in, and I didn't have an	10 vehicles, where I applied.
11	ID, and my name -- I did not have an ID, and my	11 Q Do you recall --
12	name was not on the list, and they signed me up	12 MR. CURTIS: Is this a separate exhibit,
13	right there.	13 counsel, or is the DMV correspondence part of the
14	Q Do you remember if they asked for any documents for	14 voter participation center exhibit?
15	you to get on that list in 2014?	15 MR. JOHNSON-KARP: I had marked this
16	A No.	16 whole stapled packet Exhibit 2, and just for the
17	Q You didn't have to show a utility bill or a bank	17 record, this is what was produced to us.
18	statement?	18 MR. CURTIS: From -- oh, from us?
19	A No. They said vote, and I voted. But this year I	19 MR. JOHNSON-KARP: That you produced to
20	didn't vote, and I'm on the list.	20 us.
21	Q Are you familiar with the process of absentee	21 MR. CURTIS: Oh, got it. Got it. Okay.
22	voting?	22 THE WITNESS: Now I'm remembering this.
23	A No, I don't know.	23 This is a copy I had before.
24	Q I think it goes without saying then, you've never	24 MR. JOHNSON-KARP: This is a segment of
25	used the absentee voting process?	25 what you produced. I think there was information

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1	on various plaintiffs, and I just cut out what was 2 for the other plaintiffs.	1 A Yes. They said to go over there to an office, 2 somewhere over there, and to ask for my records for 3 the food stamps, but they didn't find anything. 4 And I had an ID before from the county, when I used 5 to get food stamps before.
3	MR. CURTIS: Okay. I was just -- I was 4 just wondering if the 2014 packet was part of the 5 2016, because it looks like they're two different 6 transactions.	6 Q And that was a picture ID from Milwaukee County? 7 A Yes, it said the county. County, Wisconsin.
7	MR. JOHNSON-KARP: Right. I just figured 8 get it all -- get it all there.	8 Q When did you get that ID? 9 A I don't remember. I really don't recall.
9	MR. CURTIS: That's fine.	10 Q Do you still have that ID? 11 A No. I lost everything. I reported it, but they 12 never showed up.
10	THE WITNESS: And this right here, this 11 is the one what housing gave me so that I could go 12 get an ID for the apartment, but since I don't have 13 an ID, I couldn't get one. They told me to go to 14 that place there.	13 Q When did you lose that? 14 A When I was in Tampa, Florida. When I moved from my 15 mother's place to my other apartment. Because my 16 stepbrother, he loaded things wrong, and then the 17 drawer came out of place, and it got lost with 18 wallet and money and everything.
15	BY MR. JOHNSON-KARP:	19 Q And this is when you lived in Tampa?
16	Q And you're talking about what's labeled page 17 PLF11579?	20 A Yes.
18	A What was that?	21 Q So since you moved back from Florida, you haven't 22 had a photo ID; is that correct?
19	MR. CURTIS: That's a hard question.	23 A No.
20	BY MR. JOHNSON-KARP:	24 Q But that Milwaukee County food stamps ID you had 25 before you moved to Tampa.
21	Q Is this what you were saying was given to you by 22 housing?	
23	A Yes. Yes, with the information from housing, 24 directing me to go to this place to get an ID. And 25 I told them that I did not have an identification,	
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1	and they told me to go to this place and that they 2 would give me one there.	1 A Yes.
3	MR. CURTIS: And, counsel, just for 4 clarity on the record, I confirmed that you and my 5 client are both looking at the same page.	2 Q Did you have any other photo IDs?
6	MR. JOHNSON-KARP: Thank you.	3 A No. I had taken copies before it was lost, but 4 they said that that wasn't good enough, that they 5 wanted the original. Yes, and I also had a copy of 6 my social security card. And then they said, well, 7 a copy is not good enough. And I said, well, why 8 not? It's my social security card. And they said, 9 no, sorry, it is just not good enough.
7	Q Now, looking at the next page, what's marked 8 PLF11580, do you recognize this document?	10 So then it wasn't until I returned over 11 here that my brother-in-law was able to take me to 12 the social security office, and there I got another 13 social security card.
9	A Well, this here, now I remember, it's because at 10 one point I used to have a county ID, and it had my 11 picture on it and everything, and it's the one I 12 had because I was getting food stamps.	14 Q Other than the Milwaukee County picture ID that you 15 used for food stamps, do you recall ever having a 16 picture ID?
13	So then when I went, they told me to go 14 to this place and get an ID, but then I went, and 15 they couldn't find it in the computer, and they 16 didn't give it to me. I went with a friend who 17 took me.	17 A No, no.
18	Q And who wrote these -- who wrote this document?	18 Q That was the only picture ID you ever had?
19	A Yes, this is the place -- they wrote this for me at 20 the place where you go for the food stamps. I 21 don't remember the name. What's the name of that 22 place? I don't know. I don't know. It's probably 23 somewhere around Sixth or something.	19 A That's the only one I've had, because the others 20 were lost.
24	Q And the people at the food stamp place wrote these 25 down for you to get a picture ID; is that correct?	21 Q But you have had others? 22 A The Puerto Rican ID. 23 Q You had a photo ID in Puerto Rico? 24 A Yes, but I lost all of that. But since I wasn't 25 born in Puerto Rico, there was nothing they could

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1	do or they couldn't give it to me. Because I had a friend that went over there to find out, but because I wasn't born there, I was unable to get it.	1 Q Have you ever opened a bank account? 2 A Yes, I do have an open bank account. 3 Q And did you have to show some sort of ID to open that bank account?
5	Q You did have a Puerto Rican ID, or you did not have a Puerto Rican ID?	5 A Yes, I do. Well, the thing is that my mother, she's the one who took me to open the bank account, and I had to take a letter in from Social Security Administration, and I couldn't use the birthdate of 1/1/58, I had to use 6/17/58. And that's where I received my checks there every month, directly to the bank.
7	A Yes, because I voted in Puerto Rico.	12 Q So you showed your social security card; is that correct?
8	Q And that was a photo ID in Puerto Rico?	14 A Correct, and a letter from social security.
9	A Yes.	15 Q Using the June 17th birthdate?
10	Q But since you've moved from Puerto Rico, other than the Milwaukee County ID, you haven't had any photo ID; is that correct?	16 A Yes, that's the one I was given, and I don't know why.
13	A Correct.	18 Q You mentioned earlier celebrating birthdays. Do you ever celebrate a birthday?
14	Q Have you still been receiving food stamps?	20 A Never been celebrated, never. I don't know. I've never had a birthday celebrated ever. I don't even know how many years it would be. I just don't know. I couldn't tell you because I've never had one celebrated.
15	A I still do receive food stamps, but different dates. And the same with Medicaid.	25 Q Actually, I think the first time I had a
17	Q And the food stamp ID that you used before -- I should say -- strike that question.	
19	You had a Milwaukee County ID that you used for food stamps before you lost it; is that correct?	
22	A Correct. And I used 1/1/58.	
23	Q And you're still able to get food stamps without that ID; is that correct?	
25	A Yes. Yes, I'm still receiving it.	
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1	Q And did you also say you're receiving Medicaid benefits?	1 Q birthday was when my sister did one for me. That's the only one I recall, the one that my sister did for me, and I don't even know how old I was.
3	A I do, but I'm also having issues with that because of the different birthdates.	4 Q And was that for January 1st or June 17th?
5	Q Are you currently receiving Medicaid benefits?	5 A No, 1/1/58, the one I always use.
6	A Yes, disability.	6 Q Would it be fair to say then that you consider yourself as having a birthdate of January 1st, 1958?
7	Q Disability. Is that SSI?	9 A Yes, because I have here the baptism record from Puerto Rico, and I got to Puerto Rico when I was one year old, and then here is my baptism date, which was in 1960, and I was two years old.
8	A SSI.	13 Q And then here it says that my mom was born in Ponce.
9	Q Do you remember when you first applied for SSI?	15 THE INTERPRETER: P-O-N-C-E.
10	A I think the first time was in Pennsylvania, when I was with my sister.	16 THE WITNESS: And that's not accurate,
12	Q And that was when you lived in Allentown?	17 because my mother's not Puerto Rican; my mother is an American.
13	A Yes, correct.	19 BY MR. JOHNSON-KARP:
14	Q So roughly when you were in your 30s?	20 Q So the baptism certificate -- and just for the record, we're looking at Exhibit 2, page PLF11581 -- it lists Ponce as your mother's place of birth, but she was not born in Ponce?
15	A Yes, more or less.	24 A No, she was not born in Ponce. And then also, as far as grandparents, it says that my grandparents
16	Q Sure. And since you first applied, have you been receiving SSI continuously?	
18	A Yes, every month.	
19	Q You've never had a passport?	
20	A I tried to get one in Tampa, Florida, but I wasn't able to because I didn't have a birth certificate.	
22	Q Have you ever been married?	
23	A No. I had a girlfriend.	
24	Q But never married her?	
25	A No.	

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1	are Cristiana -- my grandmother is Cristiana	1 the way to Tampa, Florida.
2	London, but how would they know that? They don't	2 Q So you were able to get on a plane with your county
3	even know my mom, so there's no way that they could	3 photo ID, but not anymore?
4	know that.	4 A Yes, not anymore. I used to be able to go with my
5	Q But Cristiana London was, in fact, your	5 mom to go see my grandmother, but that's the only
6	grandmother, correct?	6 time I flew. And now I can't fly anywhere, and now
7	A Yes. May she rest in peace.	7 I have to go on the bus.
8	And then here it says David London was	8 Q Have you ever had a hunting or fishing license?
9	born in Jayuya on the 1st of January of 1958, but I	9 A Never.
10	wasn't born in Jayuya; I was born in Pennsylvania.	10 Q Do you ever have to show an ID to pick up a
11	Q When did you receive this document that we've been	11 prescription for medication?
12	talking about?	12 A No, I can't, because I always take my
13	A Yes, this I received, I would say, about four years	13 brother-in-law. I can pick up the other medicines
14	ago, where -- and it was over the phone, where I	14 myself, but for the other pain -- the other
15	had a friend of mine help me over there to obtain	15 medicine, for my pain, I can't. You need an ID.
16	my baptism records and all my school records.	16 So I take him along.
17	Q And on the bottom, it says 27th of February, 2013.	17 Q And it's in your brother-in-law's name that you
18	Is that about right?	18 pick up the medication?
19	A That's the first time I see that date, so I don't	19 A No, it's in my name, but since I don't have an ID,
20	know. That's the day that they sent it. I think	20 my brother-in-law goes with me. But I go with him;
21	so. That's what I remember. I think. I'm not	21 you know, we go together.
22	sure. It's so many that I just don't know.	22 Q Do you have a guardian?
23	Q But you said about four years ago, you think?	23 A Used to.
24	A Yes, about four years, more or less.	24 Q And that was -- that was your sister?
25	Q Okay. And is that -- if we turn to the next page,	25 A That was my sister.
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1	the next few pages, is that about the same time	1 Q But right now there's no legal guardianship?
2	that you received these school records?	2 A No, no, no.
3	A Yes. And here it comes out that I was born in '58,	3 Q I'd like to talk about the process of getting a
4	and then here on the bottom, it says "Flora	4 Wisconsin ID. Do you remember when you first tried
5	Acevedo," and that would be my father's mother, and	5 to get a Wisconsin state ID?
6	she's the one that mostly raised me.	6 A The first time?
7	Q And at that time, you did not live with your	7 Q Yes.
8	mother. Your mother was still in Pennsylvania; is	8 A I think I remember. I don't. It's just I've been
9	that correct?	9 to so many places that I don't remember if it was
10	A Who? My mom? I don't know where she lived because	10 here or if it was there. I just don't, no, I
11	I didn't know. I was very small and in	11 don't.
12	Puerto Rico. I don't know if she lived in	12 Q Do you remember was it before you lived in Tampa?
13	Pennsylvania or in Tampa, I don't know. It's too	13 A Yes, I believe so. It was before I lived in Tampa.
14	much. I don't know.	14 Q And when I say when you lived in Tampa, just so
15	Q But growing up, you lived with your grandma?	15 we're clear, I'm talking about the ten-year period
16	A Yes, with my father's mother.	16 from around 2004 to 2014. Is that understood?
17	Q Have you ever had to show an ID when applying for a	17 A Yes.
18	job?	18 Q And so you said it was before that ten-year period
19	A No. I've never been able to work in the condition	19 that you first tried to get a Wisconsin ID?
20	I was in.	20 A Yes, but I was unable to do anything.
21	Q Have you ever driven a car?	21 Q And why is that?
22	A Yes, but without a license.	22 A It's because I didn't have a birth certificate. I
23	Q I won't tell. Have you ever taken an airplane?	23 went with my mom to try to do it, but they also
24	A Yes, when I had my county ID, yes, I did, but now I	24 said no. They wanted a birth certificate, so I was
25	got to go on the bus, and that is a long ride all	25 unable to do anything.

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1	<p>Q Do you remember where you lived when you first started applying for a Wisconsin ID?</p> <p>A Here.</p> <p>Q Do you remember your address?</p> <p>A Well, that's been so long. Because I've lived on Lapham, on Mitchell, on Orchard. I've lived in so many places, I just don't remember.</p> <p>Q Okay. Now, talking specifically about since you've moved back from Tampa, have you tried to get an ID since you moved back from Tampa?</p> <p>A Yes, but I've been unable to. Because my brother-in-law would take me to the places, and there was nothing -- nothing I could do.</p> <p>Q Can you describe the steps that you took when you first started, after moving back from Tampa, to get an ID?</p> <p>A Well, in order to get my identification, I've took in all of my documents. I took all the documents that I'm showing them where I was born. Well, no, not the one's showing them where I was born, but my other documents, but I was unable to get an ID. They wouldn't give it to me because I did not have a birth certificate.</p> <p>And I took in my school records, my baptism records, but none of those were of any use.</p>	<p>1 do remember getting this letter, but I don't know if I have it put away in drawers or in a closet.</p> <p>3 It's just a lot of letters.</p> <p>4 Q But you do recall getting a letter denying your petition for an ID; is that correct?</p> <p>5 A Yes, because they were unable to find me anywhere.</p> <p>7 Q And I'm looking at the second page of this document, about halfway down the page. There's a sentence that reads, and I'm looking, "As previously discussed with you, secondary documentation may include the following."</p> <p>12 And one of the bullet points is "Baptismal certificate." That's the top bullet point. And the fifth line down is "Early school record."</p> <p>16 Are you saying that you showed the DMV both your baptismal certificate and the early school record?</p> <p>19 A Yes, yes, and they paid no mind to me. They told me that it had to be a birth certificate and that this was worthless. And I took in the school record and the baptism record, and nothing, they said nothing could be done, nothing.</p> <p>24 Q So if there was a note from a DMV worker saying that you hadn't provided any of those documents,</p>
1	Page 49	Page 51
1	<p>1 And I also told them the date I was born, which is 1/1/58, but they didn't pay any attention to me.</p> <p>3 Q You said you showed them the baptism certificate?</p> <p>4 A Yes, this one, yes, and the school ones and everything, any other proof I had, but they said they were unable to do anything with that.</p> <p>7 Q Do you remember who you showed those documents to, the baptism certificate and the school records?</p> <p>9 A I showed it to everybody to try to get an ID. I took it to the DMV, where you get an ID. I took it to another place. I took it everywhere, but nothing.</p> <p>13 Q I'm handing you now what's been labeled Exhibit 3.</p> <p>14 A This is where I used to live with my sister.</p> <p>15 Q Have you seen this document before?</p> <p>16 A Let me see. Well, since it's in English, I don't know, because the only one who helps me with this is my brother-in-law. Motor vehicles? This is where I went to apply to get an ID.</p> <p>20 Q I'll represent to you that this is a letter from the Department of Motor Vehicles, the Wisconsin Department of Transportation, denying your request for an ID. Do you recall getting this letter then?</p> <p>24 A I believe so, but it's so many documents that I have at home, and they're just a mess. And then I</p>	<p>1 would you say that's an incorrect statement? And by "those documents," just to clarify, I'm talking about a baptismal certificate and an early school record.</p> <p>5 A Yes, because I went with all of my proof, with my brother-in-law, and they said no. Right there and then, they told us that there was nothing we could do, so we left. And the only one who helps me manage all of this is my brother-in-law.</p> <p>10 Q Were there ever any translators other than your brother-in-law when you were involved in applying for an ID?</p> <p>13 A No, I would always take my brother-in-law. There was another one, more or less, I remember, I don't know, but I would always take my brother-in-law.</p> <p>16 Q And did DMV ever provide somebody to help translate?</p> <p>18 A There was one in Spanish, but nothing. They didn't do anything either.</p> <p>20 Q There was one time when they had someone to translate?</p> <p>22 A No, it was twice, because I went two times, one to get a state ID, and one to get an ID to vote, and both times I was denied.</p> <p>25 Q You went to get a state ID separate from getting an</p>

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1	ID to vote; is that correct?	Well, when I was in Tampa, I also got an attorney from Legal Aid to help me. So then what I did is I took in my mom so she could go in and say she was my mom. But then the attorney was like, no, the issue -- we're not going to talk to her; we need to talk to you. I don't know why they would want to talk to me. She's my mom; they could talk to her.
2 A	Yes. I was denied an ID from Wisconsin, but they told me that I could get one to vote, which is fine for me because that way I could still move around, and I can get my apartment and send it to housing and use it for that.	9 Q Was your mother involved, since moving back from Tampa, when you tried to get a Wisconsin ID for voting?
7	But they still said no. And my brother-in-law was there, and they couldn't do anything, so we left.	10 A She has helped me quite enough. There's not much she can do because she's very old. And I don't want to burden her so much because she can barely walk because of her knees.
10 Q	Why did they deny you for the Wisconsin ID, as opposed to the ID for voting, if you know?	11 Q Did she ever, if you recall, call the Department of Motor Vehicles?
12 A	I don't know. I don't know.	12 A That I am aware of, I don't remember.
13 Q	After they denied you for the Wisconsin ID, they said you could still try to get an ID for voting?	13 Q Were you ever with her when she --
15 A	They said no. They said no. I couldn't do anything.	14 A Wait a minute. Well, I did go to Tampa, and I went to the motor vehicles to get an ID, but it was also denied. And on that occasion, my cousin took me.
17 Q	So after you -- strike that.	15 Q When you were in Wisconsin trying to get a Wisconsin voter ID, do you ever remember being with your mother when she spoke on the telephone to the
18	You were denied two separate times?	
19 A	Yes.	
20 Q	Once for a Wisconsin ID, and once for a voting ID?	
21 A	Yes, yes, yes.	
22 Q	What's your understanding of what the Wisconsin ID would have been that's different than the voting ID?	
25 A	I don't know what the difference is.	
	Page 53	Page 55
1	MR. CURTIS: Yeah, I would add an objection that you're calling -- asking the witness to make a legal conclusion, which he's not able to make. I believe there's just one kind of ID.	1 Department of Motor Vehicles?
5	MR. JOHNSON-KARP: That's my understanding.	2 MR. CURTIS: Let me -- let me just -- let me just interject something. You've given the witness a letter from DMV. Particularly in light of his memory -- I mean, this isn't a memory test -- I'm wondering, may he refer to the exhibit to --
7	MR. CURTIS: I believe, although I don't want to put words in his mouth, but I think he's talking about before Florida and after Florida, but I'm unsure.	8 MR. JOHNSON-KARP: He may. And I guess I'm just --
11 BY MR. JOHNSON-KARP:		10 MR. CURTIS: I know you're not trying to trap him, but it's right in front of him, Gabe.
12 Q	Were the two denials, what you're calling the Wisconsin ID and the ID for voting, were those both after you moved back from Tampa?	12 MR. JOHNSON-KARP: Right.
15 A	Yes, that's when I came here. That's where I did it, here.	13 MR. CURTIS: In this letter --
17 Q	And you've been denied twice since you got back from Tampa; is that right?	14 Gabe, what's the -- may I read this to him, because he's not --
19 A	Twice when I've arrived from Tampa.	16 MR. JOHNSON-KARP: That's fine.
20 Q	And in both of those processes, you showed them the baptismal certificate and the early school records; is that correct?	17 MR. CURTIS: Okay. In this letter in January 15, 2015, it says -- this is from DMV -- it says that with your cooperation, DMV compliance unit staff spoke with your mother, Doris London, regarding your case. Your mother communicated that your date of birth may be January 1st, 1958, not June 17th, 1958, as originally thought.
23 A	Yes, I've showed them all of my documents, to the Court, to my attorney, to everyone, and there's nothing that's been able to get done.	24 And then later, under April 17, 2015, it says your mother, Doris London, called and spoke

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1 with DMV compliance staff, communicating that she
 2 did not have any information that could
 3 substantiate your birth record.

4 She went on to say that she believed your
 5 date of birth to be January 1st, 1958, and that the
 6 hospital where you were born burned down, and all
 7 records were lost.

8 THE WITNESS: That's what I was told as
 9 well by her.

10 BY MR. JOHNSON-KARP:

11 Q Does this summary accurately reflect the process
 12 that you went through?

13 A Yes. Yes, because I had a list of documents, a
 14 huge list of documents, and then I paid \$25 to get
 15 the documents from 1958 and back, but it also
 16 didn't show.

17 Q Who did you pay \$25 to?

18 A Over there in Madison, but I don't recall exactly.
 19 I know it was Madison, but I don't know who, but
 20 they told me if I paid another \$25, they would
 21 expand the search to ten years prior, but that's
 22 all I remember.

23 I think it's the place where you ask --
 24 or you try to find birth certificates, because
 25 that's where I sent it, but I can't recall exactly.

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1 I think that's where it is.

2 Q And that was in attempt to find your birth
 3 certificate; is that --

4 A Yes. No, but it never showed up any results from
 5 my mom's name, my father's name, or mine.

6 Q And was that a search in Pennsylvania records?

7 A Yes.

8 Q Did it search -- was the search for any other
 9 records, or just Pennsylvania?

10 A Well, see, when I was in Tampa, Florida, I had a
 11 friend, and that friend worked for an attorney's
 12 office, and they were helping me, see? And then
 13 she sent all of the information, and then about a
 14 week later she received a letter, and since I was
 15 always around there, I stopped by. And since the
 16 letter was in English, well, she helped me, and
 17 what it said was that they couldn't find anything
 18 and that there was nothing else they could help me
 19 with.

20 And then I had all of those records put
 21 away with my cousin, but when I went back to get
 22 them, my cousin had thrown them all away, so there
 23 was nothing I could do about that because I hadn't
 24 gone over there to get them.

25 Q And that was in Tampa?

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1 A Yes. I had all of the records put away,
 2 everything.

3 Q Which records?

4 A Well, the birth certificate, looking for the birth
 5 certificate by searching by my name, searching by
 6 my name backwards, searching by my birthdate,
 7 searching by my birthdate backwards, searching by
 8 my first name, by my last name, switching those
 9 around, and also searching by another name that my
 10 mom told me I had, which is David Allen.

11 Q So when you say you had the records, these were --
 12 THE INTERPRETER: I'm sorry. Interpreter
 13 forgot something.

14 THE WITNESS: And I've spent a lot of
 15 money trying to do this, so much money that it's
 16 just too much. Ten years in search of those
 17 documents, and nothing.

18 BY MR. JOHNSON-KARP:

19 Q And when you were talking about the records that
 20 your cousin lost -- or your cousin threw away,
 21 those were records of the search, or were you able
 22 to find any records, such as a birth certificate?

23 A Well, it's documents showing that I would mail
 24 them, and then they would mail me back, and then
 25 sometimes they would mail me back, and then they

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1 would mark the paper with a yellow magic marker.
 2 And there was never anything. Nothing showed up.
 3 And that was it. There was nothing else I could
 4 do.

5 And then they would ask me questions
 6 like, what's the birthdate? And I said, well, I
 7 don't -- how am I supposed to tell you if I don't
 8 really know? And I changed it to see, but it never
 9 showed up, so I don't know what else I could do.

10 Q So just to be clear, those records never
 11 produced -- you never got a birth certificate; is
 12 that correct?

13 A Never, never. Because my sister, she went into the
 14 computer, and they told her send \$50, and the
 15 record never showed up, and neither did my 50
 16 bucks. They've kept all of the money. I don't
 17 know why.

18 Q And you mentioned paying in Wisconsin -- you
 19 mentioned paying \$25. Do you remember if that was
 20 in Wisconsin or in Florida?

21 MR. CURTIS: Don't guess. Don't guess.
 22 If you remember. If you don't remember, it's okay.

23 THE WITNESS: Well, let me see. Let's
 24 see if I remember. No, I don't recall. I don't
 25 recall.

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1	BY MR. JOHNSON-KARP:	
2	Q I'm looking at Exhibit 3, the denial letter. It's	1 Q How did you first become aware of this case?
3	dated June 10th, 2015. Since receiving -- since	2 A I don't know. I have no idea. That just came out
4	that date, have you tried to gather any more	3 of nowhere. An attorney contacted me on the phone,
5	documents to try to get an ID?	4 but since there wasn't an interpreter available, I
6	A Yes, but nothing. No, everything was denied.	5 had to call back the next day, and there still
7	Q What else have you tried to get since then?	6 wasn't an interpreter. So then my brother-in-law
8	A After this, I've gone to other places, I don't	7 called for me.
9	remember the name, but they've sent me to other	8 And the thing is that at first, I had
10	places. But they always request my birth	9 went to Legal Aid. And then I went to Legal Aid,
11	certificate, which I cannot give them because I	10 and then after I left Legal Aid in the afternoon, a
12	don't have it, and there's nothing else I can do.	11 lawyer called me. I didn't know that a lawyer was
13	Q Are you aware of any family Bible?	12 going to call me. But he called me, and I couldn't
14	A What does that mean?	13 really understand because of the English, but I did
15	Q That would have your name in it from when you were	14 understand "ID," and that's why I couldn't talk to
16	young?	15 him until the next day, until my brother-in-law
17	A I don't recall.	16 helped me.
18	Q Have you looked for any census records?	17 Q And do you recall what you were first told when you
19	A What is that?	18 spoke on the phone?
20	Q Records from the state where you were born that	19 A They said, "ID." I don't know anything else.
21	would show that your parents lived there?	20 Q Did they ask if you wanted to be a witness in this
22	A Yes, but nothing.	21 case?
23	MR. JOHNSON-KARP: Counsel, if we can	22 A Well, I don't know, because since they spoke
24	take maybe five minutes.	23 English and all I was able to understand was "ID,"
25	MR. CURTIS: Sure.	24 there was really nothing else I could understand.
	Page 61	So then my brother-in-law called them and talked to
1	MR. JOHNSON-KARP: I think we could	Page 63
2	probably finish up before lunch, but I just want to	1 them, so I don't know.
3	review my notes.	2 So I called him, and I said, hey,
4	MR. CURTIS: Okay. I may have a little	3 somebody called me on the phone, and they mentioned
5	bit to follow up, but not a lot.	4 something about an ID. So I got the person's phone
6	MR. JOHNSON-KARP: Okay. Given that,	5 number, and I gave it to him for him to call.
7	would it be okay with everyone if we would go to	6 Q Do you remember when that was?
8	12:30 without a lunch break?	7 A No, I don't recall.
9	THE INTERPRETER: That's fine with me.	8 Q Do you think it was before the 1st of the year, so
10	MR. CURTIS: It's okay with you, Jose?	9 before 2016?
11	MR. ROBLES: Um-hum.	10 A I think it was this year, 1916, I think so.
12	MR. CURTIS: Yeah, it's about 11:30 now.	11 Q 2016?
13	THE WITNESS: That's fine.	12 A Yes.
14	MR. CURTIS: Are you okay for about one	13 Q And do you remember when you were asked about being
15	more hour?	14 a plaintiff in this case?
16	THE WITNESS: Yes, that's fine. The	15 MR. CURTIS: I would object to the extent
17	important thing is that everything gets worked out.	16 you're getting into any questions that would be
18	MR. CURTIS: Okay.	17 covered by the attorney-client privilege.
19	(A recess was taken from 11:32 p.m. to	18 MR. JOHNSON-KARP: Okay. Understood.
20	11:49 p.m.)	19 MR. CURTIS: I mean, anything about
21	MR. JOHNSON-KARP: On the record.	20 witness --
22	Q Mr. Aponte, do you understand that you're a	21 MR. JOHNSON-KARP: Sure, sure.
23	plaintiff in the case One Wisconsin Institute	22 MR. CURTIS: Anything about witness okay,
24	versus Nichol?	23 but I think at the point of --
25	A Yes.	24 MR. JOHNSON-KARP: Right. And that's the
		25 line I'm trying to get to is when those days --

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1 MR. CURTIS: I understand.	1 anything to do with that.	
2 MR. JOHNSON-KARP: At some point --	2 MR. CURTIS: Well, but he -- you do have	
3 MR. CURTIS: I think that's a fair point,	3 to -- he has to answer, but it's okay, it's okay.	
4 Gabe, so if you want to go up to the line --	4 BY MR. JOHNSON-KARP:	
5 MR. JOHNSON-KARP: Sure.	5 Q Twice?	
6 MR. CURTIS: -- and then -- and then --	6 A Yes.	
7 MR. JOHNSON-KARP: Sure.	7 Q Were you ever convicted in any other state of any	
8 MR. CURTIS: That's fine.	8 crime?	
9 BY MR. JOHNSON-KARP:	9 A No, just here.	
10 Q At some point did you agree to be a witness in this	10 Q Do you remember when your parole or probation or	
11 case?	11 supervision period ended for those cases?	
12 A Yes.	12 A I think it was in 2001.	
13 Q Was that soon after you received the first call	13 Q Did you vote while you were still on parole or	
14 from an attorney in this -- about this case?	14 extended supervision?	
15 A Yes.	15 A No.	
16 Q So based on your first answer -- or your answer	16 Q Did you ever live at 2225 West Orchard Street?	
17 earlier, that would have been, you think, in 2016?	17 A Yes, that I remember.	
18 A To me, I think it was in 2016. Yes, that's because	18 Q If someone named David Aponte living at that	
19 when I went downtown to see the attorney, and then	19 address registered and voted in November 2000,	
20 they asked me if I wanted to present it before a	20 would that have been you?	
21 judge, certify this before a judge, and I said yes,	21 A Not that I recall, because I lived with my brother	
22 because my papers were being denied.	22 at that address.	
23 Q Okay. Do you remember the name of the person who	23 Q But there wasn't another David Aponte who lived	
24 contacted you?	24 there, was there?	
25 A No. I don't recall names very well.	25 A No, no.	
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1 Q Do you know why you're a plaintiff in this case?	1 Q Do you know a David Morrobel, spelled	
2 MR. CURTIS: Objection. Confusing.	2 M-O-R-R-O-B-E-L?	
3 THE WITNESS: No, I don't know, I don't	3 A I don't even know who that is.	
4 know.	4 Q You don't know? Have you ever used that name?	
5 BY MR. JOHNSON-KARP:	5 A That I recall, I don't remember that name.	
6 Q At the end of this case, what outcome would you	6 Q You've never referenced to anybody that that was	
7 like to see?	7 your name?	
8 MR. CURTIS: Objection, confusing, but he	8 A No. I was known as Rambo.	
9 can answer.	9 Q But never David Morrobel?	
10 THE WITNESS: That the law be followed	10 A No, Rambo.	
11 the way it should be, because I am an American	11 Q Do you have any idea why someone with that name	
12 citizen.	12 would use your social security number?	
13 BY MR. JOHNSON-KARP:	13 A Well, I don't know, because like I told you, I lost	
14 Q And are you hoping that at the end of this case,	14 all of my papers, and I reported it, so I don't	
15 you'll get an ID?	15 know if somebody used it or what, I don't know, but	
16 A If I'm helped, yes, because I can't do anything	16 I know I reported it.	
17 about it. I don't know anything about this.	17 Q But you don't know any David Morrobel who you've	
18 Q Mr. Aponte, I understand that you've been convicted	18 given permission to use your social security	
19 of two crimes in Wisconsin; is that correct?	19 card -- or number, rather?	
20 MR. CURTIS: And let me -- let me -- one	20 A No, I don't even know that name. I don't even know	
21 moment. I want to object to the questioning	21 my own friends' names. I just say "hi," and that's	
22 because the convictions are so old, and they do not	22 it, that's all.	
23 relate to Mr. Aponte's truthfulness, but he can	23 Q Do you know a Yolanda Betancourt,	
24 answer.	24 B-E-T-A-N-C-O-U-R-T?	
25 THE WITNESS: No, the case doesn't have	25 A Nope, don't know her either. Don't know.	

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1	Q You wouldn't have any idea why she would have the 2 same social security number as you?	1 kids. And that Yolanda, I have no idea who that 2 would be. I barely know anybody, because I only go 3 from my house to my sister's house, to my friend's 4 house, that's it.
3	A I don't know. Well, I'm remembering that when I 4 was in Tampa, Florida, and I went to get food 5 stamps, I remember that when they looked on the 6 computer, they said that I was paying child support 7 for three children, and I've never had any kids in 8 Tampa.	5 Q I think you mentioned that if somebody voted in 6 2000 in your name, that wouldn't have been you; is 7 that correct?
9	Q Do you have any kids anywhere?	8 A To me, I don't think so.
10	A I never had children.	9 Q You don't think you voted in 2000?
11	Q Did the people in Tampa that you were talking about 12 just now mention a Yolanda Betancourt?	10 A No, I didn't vote in 2001.
13	A No. They just said the name was David Aponte, and 14 it had the same social security number in Tampa, 15 Florida, but I had never lived in Tampa, Florida.	11 Q In 2000.
16	Q When was that?	12 A No, no, because I was in prison in 2000, and then I 13 got out.
17	A When I went to live with my mom in 2004, and I had 18 never been to Tampa, Florida.	14 Q And you got out still in the year 2000; is that 15 correct?
19	Q Before that, you had never lived in Tampa, Florida?	16 A Yes, I do remember I got out around -- well, I 17 remember around that date. And then I got out, and 18 I was on parole for about a year and a half only. 19 And that's when I finished parole, around 2001.
20	A No, never, never.	20 Q And you said you did not vote in 2000?
21	Q And were you required to pay child support for 22 those children?	21 A No, never.
23	A No. Somebody's paying, but it wasn't me, because I 24 told them, I said, this is the first time I've come 25 to Tampa, Florida. How am I going to pay? I don't	22 Q So if someone used your name and your address to 23 vote in the year 2000, that wouldn't have been you, 24 correct?
	Page 69	25 A No. No, no, I never voted in 2000.
		Page 71
1	have any kids. And they say that they have my same name 2 and social security number. How? I don't know. 4 And that's why I couldn't get food stamps over 5 there.	1 Q Would you be upset if somebody used your name and 2 your address to vote?
6	Q Because somebody else was using the same social 7 security number?	3 A Yes, because I reported it, and if I reported it 4 and they know about it, then they should have 5 investigated that person.
8	A Yes. And that's what I don't understand. How? 9 Maybe, I'm just saying maybe, my opinion, is that 10 maybe when I lost them, somebody found them, and 11 they started reporting them. I don't know. I'm 12 just saying. I lost them, and I reported them.	6 Q Did you report somebody else voting in your name?
13	Q You're saying lost your documents, your social 14 security card?	7 A I didn't report that because I didn't know they had 8 used that.
15	A Yes, the ID, everything.	9 MR. JOHNSON-KARP: I don't have any more 10 questions.
16	Q Does that refer to when it was lost from your 17 cousin's house?	11 MR. CURTIS: Okay. May we go off the 12 record for about five to ten minutes at most?
18	A No. That was here in Milwaukee when I lost all of 19 my documents.	13 (A recess was taken from 12:09 p.m. to 14 12:25 p.m.)
20	Q But is that the same situation you were talking 21 about earlier, that your cousin threw away your 22 documents?	15 MR. CURTIS: Back on the record.
23	A No, no. When those got lost, it was when I had my 24 county ID, and that's the one that was lost in 25 Tampa, Florida, over there, where I didn't have any	16 EXAMINATION
		17 BY MR. CURTIS:
		18 Q I have just several questions in follow-up, 19 Mr. Aponte.
		20 A Okay.
		21 Q You have been in a lot of pain this morning; is 22 that right?
		23 A Yes, too much.
		24 Q And where? Where does it hurt?
		25 A Well, here I have a muscular muscle, and here I

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1 have that piece that hurts a lot, and I forgot to
 2 bring the pill with me.
 3 Q I'll keep this short. Even though you've been in
 4 pain, you can understand the questions?
 5 A Yes.
 6 Q Except when they're very long?
 7 A Yes, that's where I get stuck.
 8 Q Okay. When you vote, do you make your own decision
 9 who to vote for?
 10 A Yes.
 11 Q There was an election, a primary election, here
 12 earlier this month. Did you want to vote in it?
 13 A Yes, and I wasn't allowed to.
 14 Q Mr. Aponte, if I remember, you were born in
 15 West Chester, Pennsylvania?
 16 A Correct.
 17 Q Is that where your mother is from?
 18 A Correct.
 19 Q Okay. And your mother's last name is "London"?
 20 A Correct.
 21 Q Okay. I'd like to refer, Mr. Aponte, to Exhibit 2,
 22 which contains your baptism certificate and your
 23 school records.
 24 A Yes, correct.
 25 Q Your baptism certificate says "David London."

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1 A Correctly.
 2 Q But that's not your full name.
 3 A No.
 4 Q Okay. But "London" is your -- your -- the name
 5 "London" is, because that's your mother's name.
 6 A Yes, my mom, correct.
 7 Q Do people in Spanish culture use their mother's
 8 name sometimes?
 9 A No. I've always used my father's, Aponte, my
 10 entire life.
 11 Q Okay. Do you remember showing your baptism
 12 certificate and your school records to the DMV?
 13 A Correctly.
 14 Q Was that here in Milwaukee?
 15 A Yes, here, yes, yes.
 16 Q At a DMV office?
 17 A Yes, correctly.
 18 Q And what did they say?
 19 A That that did not work here; that it had to be a
 20 birth certificate.
 21 Q Did you ever take these documents to DMV a second
 22 time?
 23 A Yes, correctly.
 24 Q Was that also here in Milwaukee?
 25 A In Milwaukee here, both times.

1 Q And the second time, what did they say?
 2 A That, no, it had to be a birth certificate.
 3 Q When you applied to the DMV for a voter ID, did the
 4 DMV ever offer to help you pay for any documents
 5 you needed?
 6 A No.
 7 Q How would I -- how would you feel if I told you
 8 that the DMV is offering to help some people pay
 9 for their documents?
 10 A What was that? Again.
 11 Q Okay. Would you be upset if you found out that DMV
 12 is helping other people pay for their documents?
 13 A Yes.
 14 Q Has anyone from DMV ever explained to you why
 15 they're not helping you pay for documents?
 16 A No.
 17 Q You testified earlier that your mother spoke with
 18 DMV on the telephone?
 19 A Yes.
 20 Q Your mother is probably a good person to know where
 21 and when you were born; do you agree?
 22 A Yes, correctly.
 23 Q Did anyone from DMV explain to you why they
 24 wouldn't take your mother's -- what am I -- what
 25 word am I looking for?

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1 Did anyone from DMV explain to you why
 2 they would not accept what your mother said?
 3 A No, never.
 4 Q Okay. Did anyone from DMV ever suggest that your
 5 mother fill out an affidavit?
 6 A Not either.
 7 Q Do you remember if you ever suggested that your
 8 mother fill out an affidavit?
 9 A No. No, I don't really recall.
 10 Q Okay. Would you be upset if you found out that DMV
 11 allows some people to submit affidavits as proof?
 12 MR. JOHNSON-KARP: Objection. Vague.
 13 THE WITNESS: Yes.
 14 BY MR. CURTIS:
 15 Q Mr. Aponte, you said that you understand from your
 16 mother that the hospital where you were born burned
 17 down.
 18 A It burned, correct.
 19 Q Did anyone from DMV ever help you look for the
 20 records from that hospital?
 21 A No. I just remember that they sent a letter saying
 22 that they were unable to do anything.
 23 Q Okay. You said your mother's family is from -- was
 24 from Pennsylvania; is that right?
 25 A Yes, correct. That's where I met my grandmother.

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1 Q	Do you know if DMV ever looked for census records 2 about your mother from Pennsylvania?	1 STATE OF WISCONSIN) 2) SS 3 MILWAUKEE COUNTY) 4 I, JULIE A. POENITSCH, RPR/RDR, Certified 5 Realtime Reporter, and Notary Public in and for the 6 State of Wisconsin, do hereby certify that the preceding 7 deposition was recorded by me and reduced to writing 8 under my personal direction. 9 I further certify that said deposition 10 was taken before me at GRAMANN REPORTING, LTD., 740 11 North Plankinton Avenue, Suite 400, Milwaukee, 12 Wisconsin, on the 28th day of April, 2016, commencing at 13 9:08 a.m. and concluding at 12:37 p.m. 14 I further certify that I am not a 15 relative or employee or attorney or counsel of any of 16 the parties, or a relative or employee of such attorney 17 or counsel, or financially interested directly or 18 indirectly in this action. 19 In witness whereof, I have hereunto set 20 my hand and affixed my seal of office at Milwaukee, 21 Wisconsin, on this 9th day of May, 2016. 22 23 JULIE A. POENITSCH - Notary Public In and for the State of Wisconsin 24 My commission expires January 25, 2019.
2 A	No.	
3 Q	Did DMV do anything to help you look for any of 4 these documents?	
5 A	No, nothing.	
6 Q	Did DMV ever make any telephone calls to 7 Puerto Rico?	
8 A	I don't know.	
9 MR. CURTIS:	Okay. That's all I have, 10 counsel.	
11 MR. JOHNSON-KARP:	I don't think it was 12 an issue here, but just in keeping with the case, 13 if there was any confidential information, I would 14 just ask that any filings be in compliance with our 15 confidentiality agreement.	
16 MR. CURTIS:	Of course. I don't believe 17 that's an issue here, since Mr. Aponte has come 18 forward publicly.	
19 MR. JOHNSON-KARP:	Okay.	
20 MR. CURTIS:	But I agree with you. If 21 there is anything, I agree.	
22 MR. JOHNSON-KARP:	Okay. Thank you.	
23 MR. CURTIS:	Are you all done?	
24 MR. JOHNSON-KARP:	I'm all done.	
25		
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1	(Concluded at 12:37 p.m.)	
2	(Original exhibits were attached to 3 original transcript; copies to transcript copies.)	
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